UNITED STATES PATENT AND TRADEMARK OFFICE

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10/721,633	11/25/2003	Shinji Fukatsu	5259-000035	7729

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HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

EXAMINER
DAM, KIM LYNN

ART UNIT	PAPER NUMBER
2179	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *11/25/03*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-38* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-17 and 24-38* is/are rejected.

7) ☒ Claim(s) *18-23* is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *11/25/03* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some * c) ☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>6/6/05, 11/2/05.</u> 112503

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This office action is in response to the application filed on 11/25/03, which claims

foreign priority date 11/29/02. Claims 1-38 have been examined and are pending.

Claim Rejections - 35 USC § 101

2.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine,
> manufacture, or composition of matter, or any new and useful improvement
> thereof, may obtain a patent therefor, subject to the conditions and requirements
> of this title.

3.   Claims 29-33 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter. Regarding claim 29, the claim is directed

towards a linked contents browsing support program "per se" which fails to include any

hardware components which permit the program functionality to be realized, therefore it

is nonstatutory. *See* MPEP 2106.01(I). Claims 30-33 do not remedy the deficiencies of

claim 29, therefore they are also rejected under the same rationale.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out
> and distinctly claiming the subject matter which the applicant regards as his
> invention.

5.   Claim 18 and 20 recite the limitation "the points" in line 9 of the claims. There is

insufficient antecedent basis for this limitation in the claims since they recite "detecting a

point" earlier in the claim.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a
foreign country or in public use or on sale in this country, more than one year
prior to the date of application for patent in the United States.

7.   Claims 1-4, 6, 8, 12, 24, 25, 27, 29, 30, 32, 34, 35, and 37 are rejected under 35

U.S.C. 102(b) as being anticipated by Yoo (WO 01/55897).

Regarding claim 1, Yoo disclosed a linked contents browsing support method which

supports, via an object which has a linked destination, browsing of linked contents

which are contents connected to the object, comprising:

a step in which a mouse event observation section observes a mouse event of a

mouse cursor upon a screen of an information device by a user, and detects from the

mouse event that the mouse cursor has entered into a region of the object which has

the linked destination (Yoo disclosed displaying web documents by locating the cursor

of a mouse on the specified web link without clicking (Page 2, lines 16-24; Page 3, lines

1-7; Page 5, lines 4-10; Page 9, line 29 to Page 10 line 14) It is inherent that the

system of Yoo contains a mouse event observation section which detects the mouse

cursor entering a region which has the linked destination since locating the cursor over

a linked destination causes web documents to be automatically displayed);

a step in which, in response to the fact that the mouse event observation section has detected that the mouse cursor has entered into the region of the object which has the linked destination, a window display section displays a new window upon the screen (Page 2, lines 16-24; Page 3, lines 1-7; Page 5, lines 4-10; Page 9, line 29 to Page 10 line 14)

a step in which a linked contents acquisition section acquires linked contents which are connected to the object for which it has been detected by the mouse event observation section that the region has been entered into (Yoo disclosed a prebrowse program (Page 5, lines 4-10); and

a step in which a linked contents presentation section creates contents for presentation based upon the linked contents which have been acquired, and displays the created contents for presentation within the new window which has been displayed upon the screen (Page 9, line 15 to Page 10, line 14).

Claims 24, 29, and 34 are the corresponding device, program and program product claims of claim 1, therefore they are rejected under the same rationale.

Regarding claim 2, Yoo disclosed a linked contents browsing support method as described in claim 1, further comprising a step in which a contents processing section performs a summarizing or editing procedure of the linked contents which have been acquired by the linked contents acquisition section, based upon a contents conversion rule for summarizing or editing contents in a display format or style (Page 2, lines 16-24;

Page 5, lines 10-14 (wherein "at least part of the specified web document can be instantly viewed". It is inherent that the system of Yoo includes a summarizing or editing procedure of the linked contents to be presented)).

wherein the linked contents presentation section displays the contents upon which the summarizing or editing procedure has been performed by the contents processing section within the new window as the contents for presentation (Page 9, line 15 to Page 10, line 14).

Claims 25, 30, and 35 are the corresponding device, program and program product claims of claim 2, therefore they are rejected under the same rationale as above.

Regarding claim 3, Yoo disclosed a linked contents browsing support method as described in claim 2, further comprising a step of the mouse event observation section detecting the fact that the mouse cursor has been put on an object which has the linked destination, and deciding that the mouse cursor has entered into a region of an object which has the linked destination (Yoo disclosed displaying web documents by locating the cursor of a mouse on the specified web link without clicking (Page 2, lines 16-24; Page 3, lines 1-7; Page 5, lines 4-10; Page 9, line 29 to Page 10 line 14). It is inherent that the system of Yoo contains a mouse event observation section, which detects the mouse cursor entering a region, which has the linked destination).

Claims 27, 32, and 37 are the corresponding device, program and program product

claims of claim 3, therefore they are rejected under the same rationale as above.

Regarding claim 6, Yoo disclosed a linked contents browsing support method as

described in claim 5, further comprising a step of, after the contents for presentation

have been displayed within the new window, the window control section, in response to

a window closing request from the user, closing the new window when the mouse

cursor has come to be no longer put upon the new window (Page 10, lines 15-18).

Regarding claim 8, the rejection of claim 5 is incorporated and further Yoo disclosed

comprising a step of the window control section, after the contents for presentation have

been displayed within the new window, responding to mouse movement operation to

within the new window by the user, and establishing a state in which an object which

has a linked destination within the new window can be selected (Page 10, lines 18-24).

Regarding claim 12, Yoo disclosed a linked contents browsing support method as

described in claim 1, further comprising a step of the mouse event observation section

detecting the fact that the mouse cursor has been put on an object which has the linked

destination, and deciding that the mouse cursor has entered into a region of an object

which has the linked destination (Yoo disclosed displaying web documents by locating

the cursor of a mouse on the specified web link without clicking (Page 2, lines 16-24;

Page 3, lines 1-7; Page 5, lines 4-10; Page 9, line 29 to Page 10 line 14). It is inherent

that the system of Yoo contains a mouse event observation section, which detects the

mouse cursor entering a region, which has the linked destination).

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

9.   Claims 5, 7, 8, 9, 10, 11, 14, 16, 17, 26, 31, and 36 are rejected under 35 U.S.C.

103(a) as being unpatentable over Yoo (WO 01/55897).

Regarding claim 5, Yoo disclosed a linked contents browsing support method as

described in claim 1, but Yoo did not specifically disclose further comprising a step of

the linked contents presentation section, in response to an action by the user with

respect to the new window, utilizing a window control section to perform window control

corresponding to the action.   However, implementation of a window control section to

perform window controls in response to user's actions is well known and expedient in

the art. It would have been obvious to one of ordinary skill in the art at the time the

invention was made to allow for window control in the new window of Yoo, similar to

window controls of a primary window since it provides users with the ability to modify and direct the window to the users preferences or needs.

Claims 26, 31, and 36 are the corresponding device, program and program product claims of claim 5, therefore they are rejected under the same rationale as above.

Regarding claim 7, the rejection of claim 5 is incorporated and Yoo did not specifically disclose further comprising a step of the window control section, after the contents for presentation have been displayed within the new window, responding to operation of a mouse wheel by the user, and scrolling the contents for presentation which are being displayed within the new window in accordance with rotation of the wheel. However, use of a mouse wheel to scroll contents in a window is well known and expedient in the art. It would have been obvious to one of ordinary skill in the art a the time the invention was made to incorporate the scrolling of contents displayed in the new window of Yoo with the use of a mouse wheel, since it provides an efficient way of browsing the contents of a window.

Regarding claim 8, the rejection of claim 5 is incorporated and further Yoo disclosed comprising a step of the window control section, after the contents for presentation have been displayed within the new window, responding to mouse movement operation to within the new window by the user, and establishing a state in which an object which has a linked destination within the new window can be selected (Page 10, lines 18-24).

Regarding claim 9, the rejection of claim 5 is incorporated and further Yoo disclosed a

linked contents browsing support method as described in claim 5, further comprising a

step of the window control section, after the contents for presentation have been

displayed within the new window, responding to an action by the user which has been

determined upon in advance, and, along with closing all the windows in which the

contents for presentation are being displayed, displays, using an application which

corresponds to a data format of contents to be displayed, the contents for presentation

which have been displayed within the window which the action by the user, which has

been determined upon in advance, has generated or the linked contents which are the

source for the contents for presentation, within a window which is newly opened upon

the screen by the application (Page 14, lines 16-18 (wherein web documents can be

multimedia objects, therefore it is inherent that the system of Yoo can display contents

for presentation using an application which corresponds to the data format of the

contents to be displayed)).

Regarding claim 10, the rejection of claim 5 is incorporated and further Yoo disclosed

comprising a step of the mouse event observation section detecting the fact that the

mouse cursor has been put on an object which has the linked destination, and deciding

that the mouse cursor has entered into a region of an object which has the linked

destination (Yoo disclosed displaying web documents by locating the cursor of a mouse

on the specified web link without clicking (Page 2, lines 16-24; Page 3, lines 1-7; Page

5, lines 4-10; Page 9, line 29 to Page 10 line 14). It is inherent that the system of Yoo

contains a mouse event observation section, which detects the mouse cursor entering a

region, which has the linked destination).

Regarding claim 14, the rejection of claim 1 is incorporated and Yoo does not

specifically disclose a linked contents browsing support method as described in claim 1,

further comprising a step of the linked contents presentation section, when displaying

the contents for presentation within the new window, increasing or decreasing the

display magnification ratio in accordance with the size of the new window. However,

implementation of increasing or decreasing the display magnification ratio in

accordance with the size of a window is well known and expedient in the art. It would

have been obvious to one of ordinary skill in the art at the time the invention was made

to increase or decrease the display magnification ratio in accordance with the size of

Yoo's new window since doing so displays the contents in a corresponding manner to

the size of the window, allowing the magnification to be adjustable or predetermined

depending on the window size.

Regarding claim 16, the rejection of claim 15 is incorporated and Yoo does not

specifically disclose a linked contents browsing support method as described in claim

15, further comprising:

      a step of the window display section, when displaying the new window in the

display position which has been derived by the display position derivation section,

recording a window number which indicates the display order of the windows which are

being displayed upon the screen in a window management table in the order of window

display; and

a step of the linked contents presentation section utilizing a window control

section to detect that the mouse cursor has moved from the new window which has

been popped up last to within any one of the windows which are recorded in the window

management table, and, based upon the window numbers which are stored in the

window management table, closing the other windows, other than the window after

movement, among the windows which have been displayed in order from the window

after movement to the new window which has been displayed last.

However, implementation of window numbers that represent the display order of

windows and storing them in a management table is well known and expedient in the

art. The closing of windows, which are not in focus, is also well known and expedient in

the art. It would have been obvious to one of ordinary skill in the art at the time the

invention was made to record window numbers indicating the display order of the

windows in the system of Yoo and close windows other than the one in focus detected

by a mouse cursor, since it provides users with the ability to control multiple windows

and keep the focus on a chosen or preferred window.

Regarding claim 17, the rejection of claim 16 is incorporated and Yoo does not

specifically disclose a linked contents browsing support method as described in claim

16, wherein the window control section does not perform the window closing when the

mouse cursor has returned to the window which has been popped up last, until a

predetermined time period has elapsed from detecting that the mouse cursor has

moved to the window after movement. However, performing window operations after a

cursor has remained in a certain position or location for a predetermined time period is

well known and expedient in the art. It would have been obvious to one of ordinary skill

in the art at the time the invention was made to implement that teaching with the

multiple windows of Yoo since waiting until a predetermined time period has elapsed

from detecting that the mouse cursor has moved to the window before closing other

windows, would ensure that the user wants the focus to be on that specific window and

would prevent the accidental closing of the other windows.

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

11.   Claims 4, 11, 13, 15, 28, 33 and 38 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Yoo (WO 01/55897) in view of Nielson (USPN 6,373,502).

Regarding claim 4, the rejection of claim 2 is incorporated and Yoo disclosed a linked

contents browsing support method as described in claim 2, further comprising:

a step of the window display section, when the mouse event occurs, utilizing an

anchor position acquisition section to acquire the position upon the screen of the object

into the region of which the mouse cursor has entered (Yoo disclosed displaying web

documents by locating the cursor of a mouse on the specified web link without clicking

(Page 2, lines 16-24; Page 3, lines 1-7; Page 5, lines 4-10; Page 9, line 29 to Page 10

line 14) It is inherent that the system of Yoo contains a utilizing an anchor position

acquisition section to acquire the position upon the screen of the object into the region

of which the mouse cursor has entered);

Yoo does not specifically disclose:

a step of the window display section utilizing a display size calculation section to

acquire the display size for the window in which the object is displayed, and to calculate

a display size for the new window which displays the contents for presentation which

correspond to the object, based upon the display size which has been acquired; and

a step of the window display section utilizing a display position derivation section

to derive a display position upon the screen of the new window, based upon the position

upon the screen of the object which has been acquired by the anchor position

acquisition section, upon the display size of the new window which has been calculated

by the display size calculation section, upon the display position upon the screen of the

window in which the object is displayed, and upon the display direction of the new

window,

and wherein the window display section displays the new window in the display

position which has been derived by the display position derivation section.

However, Nielson disclosed determining the size and position for a new popup window,

and displays contents which correspond to an object in the derived position and

direction (Column 8, lines 8-27). It would have been obvious to one of ordinary skill in

the art at the time the invention was made, to incorporate the teachings of Nielson with

the system of Yoo since determining the size and position of a new window allows for

the contents which correspond to an object to be displayed within respect to the primary

window without obstructing the object (Nielson, Column 8, lines 13-15, 21-25).

Claims 28, 33, and 38 are the corresponding device, program and program product

claims of claim 4, therefore they are rejected under the same rationale.

Regarding claim 11, the rejection of claim 5 is incorporated and all the limitations of the

claim have been addressed by the rejection of claim 4. See above rejection.

Regarding claim 13, the rejection of claim 12 is incorporated and all the limitations of the

claim have been addressed in the above rejection of claim 4. See above rejection.

Regarding claim 15, the rejection of claim 1 is incorporated and all the limitations of the claim have been addressed in the above rejection of claim 4. See above rejection.

Allowable Subject Matter

12.   Claims 18-23 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

13.   The following is a statement of reasons for the indication of allowable subject matter: Claims 18-23 each, when considered as a whole, are allowable over the prior art of record. Specifically, prior art of record failed to clearly teach or suggest the determination of the window display position based on the display position derivation section detecting steps as recited in claims 18 and 20, wherein claims 19 and 21-23 depend upon 18 and 20, respectively.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim-Lynn Dam whose telephone number is (571) 270-1408. The examiner can normally be reached on M-TH 8:00-5:30, every other Friday 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kim-Lynn Dam

BA HUYNH
PRIMARY EXAMINER